

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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KALMAN ROSENFELD, individually and	:	
on behalf of all others similarly situated,	:	No.: 1:20-cv-04662-FB-PK
	:	
Plaintiff,	:	
	:	
v.	:	<u>AMENDED STIPULATED</u>
	:	<u>PROTECTIVE ORDER</u>
AC2T, INC.	:	
	:	
Defendant.	:	
-----X	:	

WHEREAS Plaintiff Kalman Rosenfeld (“Plaintiff”) and Defendant AC2T, Inc. (“AC2T,” and together with Plaintiff, the “Parties”) entered into a protective order that was so ordered by the Court on April 23, 2021 (the “Protective Order”);

WHEREAS Plaintiff has requested from AC2T discovery of materials that include highly sensitive competitive business information including contracts with distributors and personal identifying information of consumers;

WHEREAS AC2T wishes to produce the materials in a way that protects its business information from disclosure to parties that could use it in ways that may harm AC2T’s business and compromise its proprietary information, and that protects its consumers’ personal identifying information;

WHEREAS the Parties have agreed that redaction of the above-mentioned sensitive information would be time consuming and cost prohibitive;

The Parties have stipulated and agreed to supplement and amend the Protective Order as follows:

1. “Sensitive Commercial Data” includes contracts with retailers, vendors, buyers,

suppliers, distributors, customers, employees, and laboratories that contain pricing terms and other competitively sensitive information.

2. “Sensitive Personal Data” includes consumer names, home addresses, images of consumer homes, phone numbers, and e-mail addresses.
3. Pursuant to paragraph (d) of the Protective Order, any person who is not a party or an attorney for a party shall be required to sign an agreement and be bound by this Amended Stipulated Protective Order, attached hereto as Exhibit A, before being provided with any documents that are designated “confidential.”

Dated: New York, New York
October 28, 2021

VENABLE LLP

BURSOR & FISHER, P.A.

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Attorneys for Plaintiff

Attorneys for Defendant AC2T, Inc.

SO ORDERED, _____, 2021
Honorable Peggy Kuo
United States Magistrate Judge

EXHIBIT A

DECLARATION

I, _____, declare that:

1. I have read the Protective Order and Amended Stipulated Protective Order (together, the “Protective Orders”) agreed to by the parties and ordered by the United States District Court for the Eastern District of New York in the action *Rosenfeld v. AC2T, Inc.*, Civil Action No. 1:20-cv-04662-FB-PK.

2. I understand the Protective Orders and agree to be bound by their terms.

3. I will hold in confidence all Confidential Information provided to me.

4. I understand that the Confidential Information and my copies or notes relating thereto may only be disclosed to or discussed with those persons permitted by the Protective Orders to receive such information.

5. I will return all Confidential Information in my possession, copies thereof, and notes that I have prepared relating thereto, to counsel for the party by whom or on whose behalf I am retained upon the request of such counsel.

6. I understand that a violation of the terms of the Protective Orders may be punishable by appropriate sanctions and may be treated as if contempt by an order of the Court.

7. I hereby submit to the jurisdiction of the United States District Court for the Eastern District of New York for the purpose of enforcement of the Protective Orders and waive any and all objections to jurisdiction and venue.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Date: _____